

files the petition for sterilization with the Eugenics Board (or a member of his staff) cannot serve as guardian ad litem since he cannot act in two capacities at the same time.

The guardian ad litem is responsible only for representing the interests of the individual in the proceedings before the Eugenics Board. If the guardian ad litem does not sign a consent, Form No. 6A, a hearing before the Eugenics Board is necessary.

V. Procedure if Consents are not Secured.

If any of the above mentioned consents cannot be secured, the petition should be sent to the Executive Secretary of the Eugenics Board. Accompany it with a letter explaining the reasons for inability to secure the consents. In these instances it will be necessary for a hearing to be held by the Eugenics Board. (See Section regarding Action of Eugenics Board when necessary consents are not secured.)

ACTION OF THE EUGENICS BOARD

I. When Necessary Consents are Filed.

When necessary consents have been filed, the Eugenics Board is able to act on the petition at the first meeting following receipt of the petition. The Board will consider whether the patient is feeble-minded, epileptic, or mentally diseased and whether the operation indicated in the petition will be for the best interests of the person named in the petition or for the public good. The Board may:

- A. Order the operation in accordance with the petition;
- B. Postpone action pending receipt of additional information;
- C. Find that the petition does not come within the jurisdiction of the Board; or
- D. Deny the petition.

If the petition is approved the order will be made giving the following:

- A. Specific operation to be performed (sterilization or asexualization)
- B. Designation of a specific physician or the surgeon on the staff of a specific hospital to perform the operation; and
- C. The period of time within which the operation may be performed.

If action is postponed the Executive Secretary will notify the petitioner, indicating the additional information needed or